



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 21, 2005

Hon. Otto J. Higbee
Mayor, City of Mackay
203 S. Main
PO Box 509
Mackay, ID 83251

Re: City of Mackay Letter of April 11, 2005 to IDWR

Dear Mayor Higbee,

Your letter referenced above in response the Idaho Department of Water Resources (IDWR) letter of March 29, 2005 provide the necessary information to meet the requirements of IDAPA 37.03.11.043 for an individual mitigation plan. This letter certifies that IDWR approves your mitigation plan.

As of the date of this letter, no natural flow right holders on the Big Lost River below Mackay Dam have requested mitigation. Water District 34 Water Distribution Rule 50 (IDAPA 37.03.12.050) states that surface right holders must request mitigation when they first make a delivery call. Implementation of your plan is only necessary when, and if mitigation is called for by a surface right holder.

You should consult with Bob Duke, District 34 Watermaster to learn the status of requests for mitigation. Mitigation status should be known before the end of May 2005. If mitigation is required, you will need to begin submitting lagoon outflow and pumping data to the Watermaster.

Please call me at 208-287-4957 if you have any questions

Respectfully,

Steve Burrell
Water Distribution Section

c: Bob Duke, Watermaster – Mackay (w/ attachments-City of Mackay Letters)
IDWR Eastern Region – Idaho Falls
Water District 34 – 2005 file (w/attachments- City of Mackay Letters)